

NOTICE OF PROPOSED RULE ADOPTION

STATE OF MISSISSIPPI MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

BUREAU OF LAW ENFORCEMENT

MS Department of Wildlife, Fisheries and Parks
c/o Sam Polles, Ph.D., Executive Director
1505 Eastover Drive
Jackson, MS 39211-6374
(601) 432-2400
Sharon@mdwfp.state.ms.us

Specific Legal Authority authorizing the Promulgation of
Rule: 41-1-29-; 25-43.3.103
49-7-32, 49-7-65, 49-7-41

Reference to Rules repealed, amended or suspended by the
Proposed Rule: LE4-2768 a (I)

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

Regulations relative to Field Trials, Taxidermy, Propagation, and Running of Dogs during turkey season

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Oral Proceeding:

Check one box below:

☐

An oral proceeding is scheduled on this rule on
Date: {Insert Date}
Time: {Insert Time}
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

Economic Impact Statement:

Check one box below:

☐

The agency has determined that an economic impact statement is not required for this rule, or

☐

The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: July 25, 2005

Proposed Effective Date of Rule: September 26, 2005


Sam Polles, Ph.D., Executive Director

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS
P.O. BOX 451
JACKSON, MISSISSIPPI 39205

PUBLIC NOTICE NUMBER LE4 - 2768a (I)

TO: The Honorable Eric Clark
Secretary of State
Post Office Box 136
Jackson, MS 39205
AND
ALL INTERESTED PERSONS

The Mississippi Commission on Wildlife, Fisheries, and Parks, at a meeting in Jackson, Mississippi on July 25, 2005, under authority of Section 25-43-3.103, Mississippi Code of 1972, made known its intent to adopt the following regulations relative to **Field Trials, Taxidermy, Propagation, and Running of Dogs During Turkey Season**. This was done under authority of Sections 49-7-32, 49-7-65, 49-1-29, and 49-7-41, Mississippi Code of 1972.

Public Notice Number LE4-2768 is hereby amended and the following rules and regulations are adopted:

Field Trials

Be it ordered that a permit is required by any person, club, group or association, to sponsor or engage in any raccoon dog field trial, squirrel dog field trial, retriever dog field trial, bird dog field trial, rabbit dog field trial, or fox hound field trial.

Applications for such field trial shall be on a form prescribed by the Department and must contain the following information;

1. Name and address of applicant
2. Club, Group or Association
3. Type of Trial (UKC, AKC, ACHA, NFHA other)
4. Headquarters/ Meeting place
5. Counties involved
6. Wildlife Management Areas involved
7. Date or Dates of field trial

Applications must be received by the Department of Wildlife, Fisheries and Parks no less than fourteen (14) days prior to the date of the field trial and must be accompanied by a fifty dollar (\$50.00) money order or cashiers check made out to the Department of Wildlife, Fisheries, and Parks. Additionally, a fee of \$150 per event is required if the facilities at Black Prairie WMA or Hell Creek WMA will be used during the field trial/event.

The secretary or other official of the club sponsoring the field trials shall maintain a list of the names and addresses of all persons, including non-residents, who have dogs participating in the field trial, for a period of thirty (30) days after the close of the trial. Such a list must be available and open for inspection by a representative of the Department of Wildlife, Fisheries and Parks at all times. Nothing herein shall be construed as requiring participants in sanctioned/permitted field trials to have a current Mississippi hunting license or a Wildlife Management Area User Permit, as required by Public Notice L-3755.

All such trials must be sanctioned or recognized by the United Kennel Club, American Kennel Club, or other chartered clubs and must be conducted in accordance with the rules of the sanctioning organization. All dogs entered must comply with Section 45-53-1 regarding rabies.

Each club sanctioned or recognized by The United Kennel Club, American Kennel Club, or other chartered club may keep one (1) live male captive fur bearing animal. This animal is to be kept by a designated member. These animals shall be housed or caged so as to comply with laws relating to humane treatment of animals.

Pen reared tame quail may be released and used as provided by Section 49-7-42.

No person attending or participating in a field trial shall take, capture or kill any wild animal.

In addition to the penalty prescribed by law, any person convicted of a violation of any of these rules and regulations shall be barred from future participation in any field trial authorized by the Department of Wildlife, Fisheries and Parks for a period of twelve (12) months. However, before revocation of the privilege to participate in field trials becomes effective, the Executive Director shall notify the person by registered mail of his right to a hearing before the Commission on Wildlife, Fisheries and Parks at its next regular meeting.

Running of Dogs During Spring Turkey Season

It shall be unlawful to run, hunt, chase or pursue with dogs any raccoon, opossum, fox or other wild animals, or wild birds during the spring turkey season, day or night, except as provided herein:

1. In areas that are closed to turkey hunting
2. In permitted hunting enclosures (all free running dogs must remain inside the enclosure).
3. Bird dog field trials may be held in designated areas during the open spring turkey season after application, inspection, and obtaining a permit from the Department of Wildlife, Fisheries and Parks.
4. Rabbit dog field trials may be permitted during the spring turkey season on lands owned or leased by organized beagle clubs

provided that the club property is posted by signs every 300 feet and the field trial has been approved by the Department of Wildlife, Fisheries and Parks.

5. In the area south of Hwy. 84 and east of Hwy. 35 on private lands, the running of raccoons with dogs will be allowed from 1 hour after sunset until 3:00 a.m. with a limit of four dogs per party. Hunters must obtain a \$10.00 permit per dog. Individual hunters are limited to two permits.

Taxidermy/Propagation

A permit is required of any person who engages in any taxidermy for the general public or for wildlife propagation.

Applications for propagation or taxidermy permits must be on a form prescribed by the Department and shall contain the following:

1. Name and address of applicant (Taxidermy only)
2. Name and address of Business if different from above (Taxidermy only)
3. Reason permit requested, if not for propagation purposes
4. Name of species to be propagated

Applications for taxidermy/ propagation permits shall be sent to the Department of Wildlife, Fisheries and Parks. A permit fee of ten dollars (\$10.00) must accompany the application.

Permits shall be valid for one (1) year from date of issuance and shall be displayed for inspection by Department personnel.

Any person convicted of a violation of any laws or regulations pertaining to propagation permits may, at the discretion of the Commission, have his permit recalled and revoked for a period of 12 months. However, before such revocation shall become effective, the Executive Director shall send, by registered mail, notice to such person or permittee who shall have the right to a hearing or representation before the Commission at its next regular meeting or a special meeting. Such notice shall set out fully the grounds or complaint upon which the revocation of, or refusal to grant the permit is sought.


Page Four

Public Notice of Intent No. LE4 2768a (I)

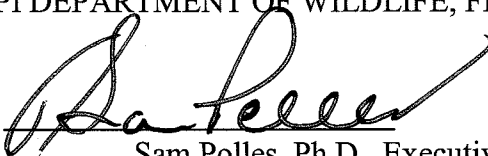
July 25, 2005

Anyone wishing to comment on the above proposed action may do so in writing to the Executive Director, Mississippi Department of Wildlife, Fisheries and Parks, P. O. Box 451, Jackson, MS 39205, no later than August 25, 2005.

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES & PARKS

BY: 
William C. Deviney, Jr., Chairman

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES & PARKS

BY: 
Sam Polles, Ph.D., Executive Director